

HOUSE BILL NO. 478

INTRODUCED BY G. GOLIE

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE REPORTING REQUIREMENTS FOR THE TUMOR REGISTRY; RESTRICTING THE RELEASE OF INFORMATION; LIMITING THE TYPE OF INFORMATION THAT THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES MAY COLLECT; AND AMENDING SECTIONS 50-15-703, 50-15-704, AND 50-15-706, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 50-15-703, MCA, is amended to read:

"50-15-703. Duty to report tumors. ~~The following persons or entities~~ A hospital that has an active oncology program and that provides to any person medical services relating to a tumor shall report to the department on forms provided by the department all medical and personal information as specified in rules of the department and laboratory results pertaining to the treatment and condition of a person with a reportable tumor:

~~—— (1) a hospital that provides medical services relating to the tumor;~~

~~—— (2) a clinical laboratory, as defined in 50-5-101, that is not owned or operated by a hospital and that provides laboratory services relating to the tumor; and~~

~~—— (3) a health care practitioner or health care facility, not covered by subsection (1) or (2), providing medical services relating to the tumor."~~

Section 2. Section 50-15-704, MCA, is amended to read:

"50-15-704. Confidentiality. Information received by the department pursuant to this part may not be released unless:

(1) it is in statistical, nonidentifiable form;

(2) the provisions of Title 50, chapter 16, part 6, are satisfied;

(3) the release or transfer of information is statistical and nonidentifiable and is made to a person or organization that is qualified to perform data processing or data analysis and that has safeguards against unauthorized disclosure of that information; or

1 (4) the release or transfer is to a central tumor registry of another state and is of information
2 concerning a person who is residing in that state; ~~or~~

3 ~~—— (5) the release is to a health care practitioner or health care facility that is providing or has~~
4 ~~provided medical services to a person who has or has had a reportable tumor."~~

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6 **Section 3.** Section 50-15-706, MCA, is amended to read:

7 **"50-15-706. Rules.** The department may adopt rules implementing this part, including:

8 (1) the types of tumors that are reportable; and

9 (2) the information on each patient having a reportable tumor that must be submitted to the
10 department, that must be related solely to the tracking of the incidence of tumors in this state, and that
11 may not include personal information unrelated to the tumor."

12 - END -